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DATE MAILED: 04/13/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/713,178	11/13/2003	Martin C. Baker	H0005434	9815	
128	7590 04/13/2006		EXAMINER		
HONEYWELL INTERNATIONAL INC.			HEINRICH, SAMUEL M		
101 COLUM P O BOX 224			ART UNIT	PAPER NUMBER	
	WN, NJ 07962-2245		1725	· <u></u> -	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.	Applicant(s)		
10/713,178	BAKER ET AL.		
Examiner	Art Unit	_	
Samuel M. Heinrich	1725		

Advisory Action	10/713,178	BAKER ET AL.				
Before the Filing of an Appeal Brief	Examiner	Art Unit				
	Samuel M. Heinrich	1725				
The MAILING DATE of this communication appe		orrespondence add	ress			
• •		-				
HE REPLY FILED 31 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:						
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire a Examiner Note: If box 1 is checked, check either box (a) or (dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection	on.			
TWO MONTHS OF THE FINAL REJECTION. See MPEP 70 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing date.	of the fee. The approprinally set in the final Office to of the final rejection, e	ate extension fee be action; or (2) as even if timely filed,			
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	s of the date of e appeal. Since			
3. The proposed amendment(s) filed after a final rejection, I (a) They raise new issues that would require further con	nsideration and/or search (see NO		ecause			
 (b) ☐ They raise the issue of new matter (see NOTE beloge) (c) ☐ They are not deemed to place the application in bet appeal; and/or 		ducing or simplifying t	he issues for			
(d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally rej	ected claims.				
1. The amendments are not in compliance with 37 CFR 1.12		mpliant Amendment (PTOL-324).			
5. Applicant's reply has overcome the following rejection(s)						
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 	lowable if submitted in a separate,	timely filed amendme	nt canceling the			
For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected:	will not be entered, or b) will will will will will will will w	l be entered and an e	xplanation of			
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE						
3. The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).	d sufficient reasons why the affidav	it or other evidence is	necessary and			
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appea y and was not earlier presented. So	al and/or appellant fail ee 37 CFR 41.33(d)(1	s to provide a).			
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER						
The request for reconsideration has been considered bu <u>See Continuation Sheet.</u> Note the attached Information Disclosure Statement(s).		·	ce because:			
 2. ☐ Note the attached Information Disclosure Statement(s). (3. ☒ Other: Note the attached Notice of References Cited (PT 	(m 10/36/06 of m10-1449) maper N TO-892).	o(s)				
		Samuel M Heinrich Primary Examiner	Hermich			
·		Art Unit: 1725				

Continuation of 11. does NOT place the application in condition for allowance because: Applicant describes the claimed invention and describes the operation of the apparatus. Note Applicant's description of the intended use of the apparatus, such as laser light being reflected by a workpiece during operation, does not impart patentability to the apparatus claims. Applicant states that USPN 2,074,629 to Ungar is not pertinent to the invention because it is not a hand held laser welding wand. Examiner replies that consideration of any hand tool shielding device is pertinent to the instant claimed invention and that many more simple shield devices are also pertinent. Attaching a shield to a tool is well known to most workers. Applicant submits a demand for evidence with respect to replaceable clamps and shields, in combination. Examiner submits USPN 5,430,816 to Furuya et al which describes (column 17) "Fig. 24... laser processing apparatus... head is provided with a replaceable transparent shield". Examiner submits USPN 6,437,286 to Scott which describes (column 3, lines 23+) "a replaceable laser shield". Examiner submits USPN 6,440,219 to Nguyen which describes (Title) "Replaceable shielding apparatus" and describes (column 4, lines 57+) "replaceable shielding apparatus ... with shield restraint clamp means." These references were found using an EAST database search with 1) the terms "replaceable near5 shield with clamp\$3" and with 2) the terms "replaceable near5 shield\$3 with laser". Applicant argues that Tepple, Jr. does not disclose the invention. Tepple, Jr. is used in the rejection in combination and Tepple, Jr. does disclose a sensor in a shield.